

**AFFIDAVIT IN SUPPORT OF CRIMINAL
COMPLAINT**

I, Charlie Vega, employed as a Task Force Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice, having been duly sworn, do hereby depose and state as follows:

AGENT BACKGROUND

1. I am a Task Force Officer with the Bureau of Alcohol Tobacco, Firearms & Explosives (ATF) in Hato Rey, Puerto Rico, and have been so for the past 2 years. Prior to becoming a Task Force Officer, I worked for twenty-one (21) years as an agent investigator with the Puerto Rico Police Bureau. I am currently assigned to the ATF Violent Crime Group. As part of the Violent Crimes Group III, I conduct investigations of violent gangs, firearms, and narcotics violations. I have specialized training and/or experience in area of high-level drug enforcement, street-level drug enforcement, narcotics smuggling and distribution, gangs, undercover operations, surveillance and debriefing informants and suspects.
2. Your affiant is an "investigative or law enforcement officer of the United States" within the meaning of Title 18, United States Code, Section 2510 (7). Your affiant is, therefore, a task force officer of the United States who is empowered by law to conduct investigations and to make arrest of the offenses enumerated in Title 18, United States Code, Section 2516. Your affiant is currently assigned to ATF San Juan Office conducting investigations of federal firearms violations and other federal violations.
3. Your affiant has assisted in conducting investigations into the unlawful possession of firearms. Through training, investigations, and experience, I have taken part in cases relating to the trafficking of firearms, the use and possession of firearms by persons prohibited by law, and the possession of illegal firearms.

4. Your affiant has conducted and participated in numerous investigations to include: collection of evidence, interviews, robbery criminal investigations and the execution of search warrants.
5. I am familiar with the information contained in this Affidavit, which is based upon the investigation and information received from other law enforcement officials. Because of my personal participation in this investigation, and because of information provided to me by the Puerto Rico Police Bureau (**PRPB**) Agents, I am familiar with the facts and circumstances of this investigation. This affidavit is made for for the limited purpose of establishing probable cause for certain violations of law by **Jose Alexander GONZALEZ-SANTIAGO** and **Victor Manuel RUIZ-BARBES**. Therefore, I have not included all the facts of this investigation.
6. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

PROBABLE
CAUSE

7. On March 24, 2023, PRPB Agents assigned to the Aibonito Narcotic Drug Division ("Agents") received a confidential telephone call. Through that call they were informed, among other things, that a tall, skinny, "trigueño-skinned" individual with a tattoo on his chest, known as "Alexander", was in possession of controlled substances and firearms at Carr. 14 Km 24, Los Llanos ward in Coamo, PR ("the target residence"). Through the call, the agents were also informed that the aforementioned individual sold controlled substances and firearms from that address.
8. On March 29, 2023, the Agents made an Operation Plan to surveil the target residence. The purpose of the Operation Plan was to identify, among other things, AKA Alexander, to confirm if there were controlled substances and firearms at the target residence and to eventually request a search warrant.



9. While on surveillance, the Agents observed an individual, which matched the confidential description, come out of the target residence without a shirt on and with a tattoo on his chest. This individual was later identified as José Alexander GONZÁLEZ-SANTIAGO.
10. The Agents continued their surveillance and observed a gray Suzuki SK-4 arrive near the target residence. The driver of the Suzuki, later identified as Víctor Manuel RUIZ-BARBES, parked near the target residence and a nearby bridge. RUIZ-BARBES got out of the Suzuki, opened the trunk of the car, took a pink plastic storage box out of the trunk, and placed it down on the ground. Immediately after, RUIZ-BARBES took a black rifle out of the trunk and put it inside the pink plastic storage box. RUIZ-BARBES then took the pink box and hid it under the bridge in a bushy area. RUIZ-BARBES then walked to the front of the target house.
11. Simultaneously, the Agents observed GONZÁLEZ-SANTIAGO take out a purple bookbag from near an abandoned car that was parked near the target residence. GONZÁLEZ-SANTIAGO opened the bookbag and took out a large plastic bag with a leafy substance, which seemed like marihuana to the Agents. GONZÁLEZ-SANTIAGO proceeded to put the plastic bag back inside the bookbag, walk to the back of an abandoned house adjacent to the target house and hide the bookbag under a palm tree and underneath a metal plate. GONZÁLEZ-SANTIAGO walked back to the front of the target residence.
12. The Agents called for backup so they could arrest GONZÁLEZ-SANTIAGO and RUIZ-BARBES.
13. After backup arrived, the Agents arrested GONZÁLEZ-SANTIAGO and RUIZ-BARBES. The Agents read them their rights and conducted a pat down of both arrestees.
14. At the time, GONZÁLEZ-SANTIAGO was holding in his hand a cigarette containing a leafy substance which later tested positive for marihuana. In his pockets he had a red iPhone 12 and a plastic bag containing a substance that also tested positive for marihuana.

15. The Agents seized the bookbag GONZÁLEZ-SANTIAGO had placed under a metal plate. Inside the bag, there were five large plastic bags with a green leafy substance which later tested positive for marihuana.



16. In his pant pockets RUIZ-BARBES had a plastic bag with a green leafy substance which tested positive for marihuana.

17. From the pink plastic storage box, the Agents seized:

- One (1) black rifle AK-47 Draco 7.62 caliber bearing serial number 9771-11
- One (1) black and green rifle of unknown caliber, unknown manufacturer, and unknown serial number
- One (1) black and green rifle of unknown caliber, unknown manufacturer, unknown serial number, and no trigger
- One (1) Glock pistol, black in color, model 35, 40 caliber, with serial number RAD770
- One (1) black revolver Ruger with serial number 540-66359
- Seventy-three (73) rounds of 7.62 caliber ammunition
- Forty-eight (48) rounds of .38 caliber ammunition
- Multiple 9mm magazines
- Multiple .40 caliber magazines
- Multiples rifle magazines.

- One (1) black bullet proof vest
- One (1) black Roni pistol carbine



18. ATF Agents performed a dry test of all the firearms, except the rifle with no trigger and the revolver. The dry test revealed that the following firearms were capable of firing automatically as machineguns:

- The black rifle AK-47 Draco 7.62 caliber with serial number 9771-11;
- The black and green rifle of unknown caliber, unknown manufacturer, and unknown serial number
- The black Glock pistol, model 35, .40 caliber with serial number RAD770



19. The black Glock pistol, model 35, .40 caliber, with serial number RAD770 had a machinegun modification on the backplate which is readily visible to anyone holding the firearm, as shown in the picture below.



20. ATF Agents later interviewed GONZÁLEZ-SANTIAGO. GONZÁLEZ-SANTIAGO confessed he possessed the purple bookbag and that he moved it from near the abandoned car to the back of the abandoned house adjacent to the target house. GONZÁLEZ-SANTIAGO further admitted he placed the purple bookbag under a metal plate.

21. GONZÁLEZ-SANTIAGO gave the ATF Agents consent to search his iPhone 12. During the search, which was conducted in the presence of GONZÁLEZ-SANTIAGO, ATF Agents viewed, among other things, several videos. GONZÁLEZ-SANTIAGO confessed that it was him in some videos shooting a machinegun towards a mountain. In one of the videos, ATF Agents also identified RUIZ-BARBES shooting a rifle that looks identical to one of the rifles seized by the Agents from the aforementioned pink plastic storage box.

22. Based on my training, experience and facts concerning this investigation, I believe that sufficient probable cause exists to show that there is material evidence that RUIZ-BARBES committed a violation of United States federal laws, to wit: Title 18, United States Code, Section 922(o). Possession of a machinegun.

23. GONZÁLEZ-SANTIAGO committed a violation of United States federal laws, to wit: Title 21, United States Code, Section 841(a)(1) Possession with intent to Distribute Controlled Substances.

I hereby declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.



Charlie Vega
Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn and subscribed to before me in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone at 9:45 am, this 31st day of March, 2023, in San Juan, Puerto Rico.

Hon. Giselle López-Soler
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF PUERTO RICO